

**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

**April 19, 2007**



**CU 07-02: 1304 Beck Street**

**CASE DESCRIPTION:** request for approval of a Conditional Use Permit to legitimize previous construction of two accessory dwelling units on a lot in a Residential District – 5000 (RD-5).

**LOCATION:** 1304 Beck Street at the northwest corner of Beck and Bryant Streets in south central Bryan, Brazos County, Texas

**LEGAL DESCRIPTION:** Lot 2 in Block 5 of the Stephan F. Austin #9 Survey, Bryan, Brazos County, Texas

**EXISTING LAND USE:** residential

**APPLICANT(S):** Amelia and Baldemero Arredondo

**STAFF CONTACT:** Julie Fulgham, Staff Planner

**SUMMARY RECOMMENDATION:** Staff recommends **approving a Conditional Use Permit to legitimize only one accessory dwelling** on this single-family residential lot.



## **BACKGROUND:**

The subject property is located in a Residential District – 5000 (RD-5). Earlier this year, the applicant was cited by the Code Enforcement Department for converting a tool shed into an accessory dwelling near the rear (north) property line without the necessary building permits as well as site plan and Conditional Use approvals by the City. During a site visit, staff discovered that on this same property, a garage near the west side property line had also been converted to an accessory dwelling, without the necessary building permits as well as site plan and Conditional Use approvals.

The applicant is requesting approval of a Conditional Use Permit to legitimize these two accessory dwellings on this subject property. If approved, three dwellings, a main structure and two accessory dwellings would occupy this lot which is located in a low-density residential zoning district.

## **ANALYSIS:**

Approval of a Conditional Use Permit by the Planning and Zoning Commission shall be based upon the following criteria:

1. Conformance with Zoning Ordinance

**If the Conditional Use Permit were granted, these accessory dwelling units would meet all of the regulations and standards of the Zoning Ordinance.**

2. Compatibility with Surrounding Land Uses

**Staff contends that only one accessory dwelling unit would be compatible with the surrounding land uses in this residential district. Allowing more than one accessory dwelling on this property will lead to a multi-family environment which is not considered desirable in a single-family residential area.**

3. Effect on Vehicular and Pedestrian Traffic in the Vicinity

**The site currently does not provide adequate parking for both the main dwelling unit and the accessory dwelling units. Two additional parking spaces are proposed to be provided in a separate parking area from the existing parking area, to be accessed from Bryant Street, according to the site plan. Staff recommends requiring these two additional parking spaces even if Commissioners legitimize only one of the accessory dwellings.**

4. Protection from Erosion, Flood or Water Damage, Fire, Noise, Glare, and Similar Hazards or Impacts

**No hazards have been identified.**

5. Adequacy and Convenience of Off-street Parking and Loading Facilities

**The site currently does not provide adequate parking for both the main dwelling unit and the accessory dwelling units. Staff contends that a minimum of two additional parking spaces should be required on this lot, even if Commissioners legitimize only one of the accessory dwellings.**

6. Conformance with the Objectives and Purpose of the Zoning District

**Staff contends that allowing only one accessory dwelling unit conforms to the objectives of the RD-5 zoning district. Allowing more than one accessory dwelling will create a multi-family environment which does not conform to the objectives of the RD-5 District.**

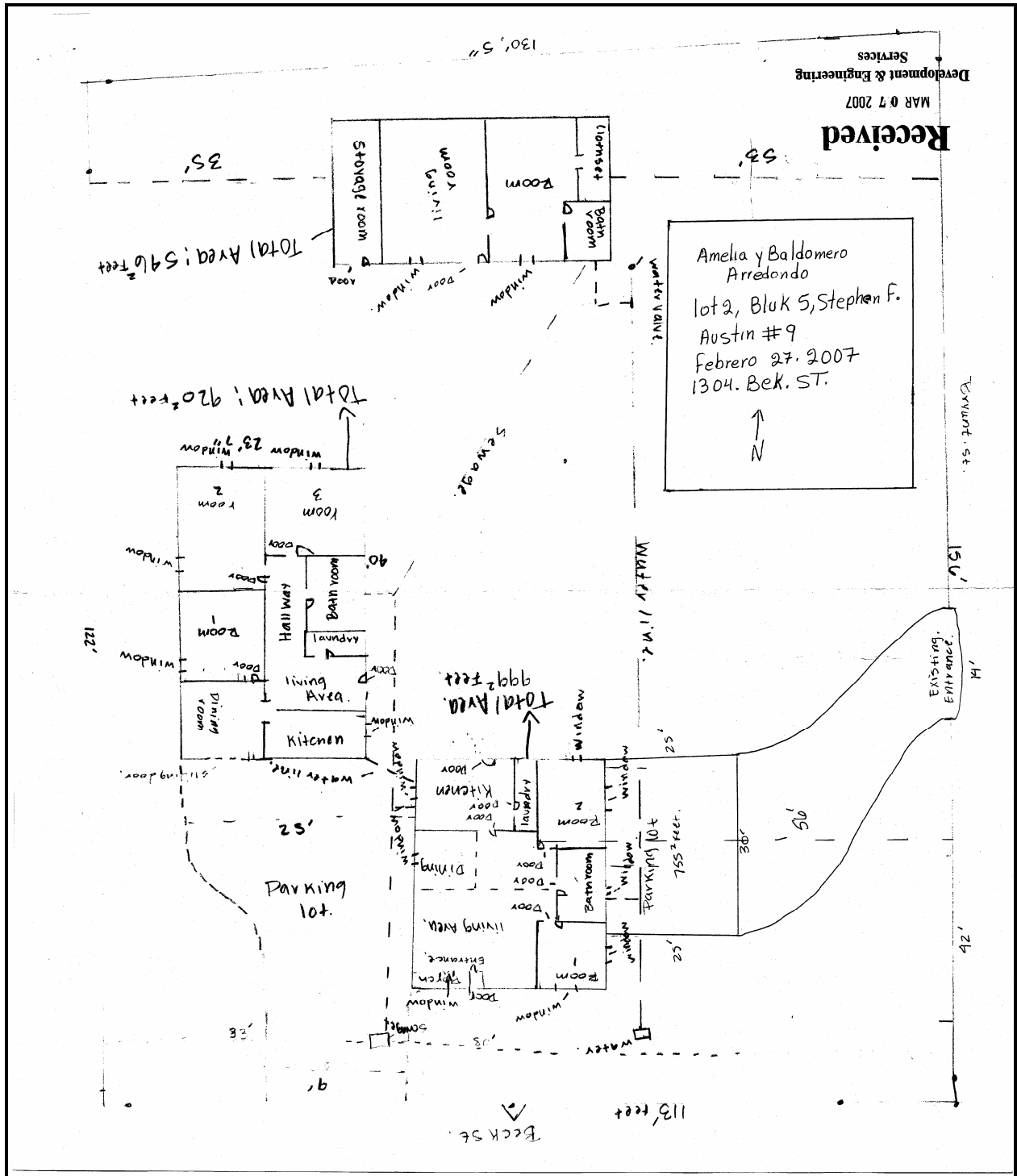
**RECOMMENDATION:**

Staff recommends **approving a Conditional Use Permit to legitimize only one accessory dwelling** on the subject property. In addition, staff recommends that the installation of two additional paved off-street parking spaces be required on the subject property to provide adequate off-street parking for this additional dwelling.

**AERIAL PHOTO:**



**SITE PLAN:**



**ADDITIONAL PHOTO'S OF SUBJECT PROPERTY:**



subject property located at 1304 Beck Street



looking at rear of subject property, from Bryant Street, two accessory dwelling units can be observed





looking at subject property from Beck Street; the converted garage is the structure to the left of the home



a picture of one of the accessory dwelling units and the main dwelling unit